

COVER NOTE

from Secretariat
to Convention

Subject : **Summary sheet of the proposals for amendments relating to the democratic life of the Union:**
– **Draft articles for Part One of the Constitution, Title VI**
(Articles 33 to 37)

Members will find attached the summary sheet of proposals for amendments relating to the democratic life of the Union: draft articles for Part One of the Constitution, Title VI (Articles 33 to 37).

SUMMARY SHEET OF THE PROPOSALS FOR AMENDMENTS RELATING TO THE
DEMOCRATIC LIFE OF THE UNION
PART ONE OF THE CONSTITUTION, TITLE VI
DRAFT ARTICLES 33 TO 37

I. ANALYSIS OF THE AMENDMENTS BY TOPIC – SUMMARY

1. Convention members have submitted a total of 235 amendments to the draft articles in Title VI, the democratic life of the Union, including 5 of a general nature, 30 relating to Article 33, 50 to Article 34, 25 to Article 35, 30 to Article 35a, 40 to Article 36, 22 to Article 36a, and 33 to Article 37.
2. The amendments put forward for Articles 33 to 37 relate to very varied aspects of the democratic life of the Union, and it is not always easy to classify them according to topic. However, there are some more significant amendments which stand out.
 - Article 33, principle of democratic equality: The most significant amendments concern deletion of the article or introduction of the concept of "equality of Member States" which would complement equality of citizens.
 - Article 34, principle of participatory democracy: A number of Convention members proposed replacing "citizens" by "citizens of the Union". Other significant amendments concern the inclusion of references to representative democracy, description of how citizens can participate in the democratic life of the Union and the definition of civil society (with several requests for clarifications or additions, for example relating to the social partners and the social dialogue or dialogue with the associations representing the regional or local authorities).
 - Article 35, the European Ombudsman: The largest number of amendments relate to appointment of the Ombudsman and several want it stated that he is appointed by the European Parliament.

- Article 35 a, Political parties at European level: A number of Convention members want the whole of Article 191 TEC to be reproduced or parts of that article to be added. Others propose replacing the text by a legal basis for the establishment of European political parties.
 - Article 36, Transparency of the Union's proceedings: The greatest number of amendments relate to the concept of "transparency", the description of the proceedings of the Council which are to be public, the description of those covered by the right of access to documents, the reference to institutions, agencies and bodies, the setting of a deadline for the adoption of specific provisions on access to documents and deletion of the feminine form of the French word "citizen" (because it is difficult to translate into certain languages).
 - Article 36a, Protection of personal data: Several Convention members propose deleting the first paragraph on the grounds of superfluous duplication with the Charter of Fundamental Rights.
 - Article 37, Status of churches and non-confessional organisations: The Secretariat has received several proposals for deletion of this article in its entirety. Proposals to that effect usually state that the content and status of Declaration No 11 annexed to the Treaty of Amsterdam would be preserved.
3. Some propose adding to this Title articles on "citizens' legislative initiatives", "the right of petition", "the European referendum", "the social dialogue" and "the role of the social partners in defining the social dimension of the Union", "media pluralism", the principles of good administration" and "dialogue with the regions and local authorities".
 4. A number of amendments refer to the duplication by articles in this Title of articles in the Charter of Fundamental Rights and some Convention members doubt whether such duplication is justified.
 5. Some specific amendments have been submitted regarding the Title itself:
 - Change the name of the Title: "The democratic life of the Union and principles of good governance" (*No 1/ de Vries and de Bruijn*); "The democratic life of the Community" (*No 3/Kirkhope*) "Participatory democracy" (*No 5/Sigmund, Briesch and Frerichs*),

- delete the Title and insert Articles 34-36 in other Titles (*No 2/Duff and 18 cosignatories*),
- merge the Title with the articles on the values, objectives and fundamental rights of the Union, and, if the intention of Title VI is to implement some of the fundamental rights set out in the Charter of Fundamental Rights, introduce other fundamental rights not covered by the draft articles and a supervisory mechanism or body (*No 4/Kohout*).

ANALYSIS OF THE AMENDMENTS BY ARTICLE

Article 33: Principle of democratic equality

The Union's operation shall be founded on the principle of the equality of citizens, who shall receive equal attention from the Union's institutions.

EXAMINATION OF THE AMENDMENTS BY TOPIC

General comments:

There are few amendments to Article 33 which relate to substance; most of them are concerned with the wording. Some proposals have been put forward for recasting or merging Articles 33 and 34. The most significant amendments concern deleting Article 33 or introducing the concept of equality of Member States", which would complement equality of citizens.

- Delete the whole of Article 33, mainly because it duplicates provisions of the Charter (*No 6/Duff + 22, No 9/Fischer, No 10/Haenel and Badinter, No 14/Hübner, No 21/Queiró, No 22/Roche, No 29/Wuermeling*).
- State that the principle of equality also covers "equality between Member States" (*No 7/Farnleitner + 3, No 23/Rupel + 1, No 26/Tiilikainen + 4*).
- Rewrite Article 33 so as to introduce the concept that European democracy manifests itself on five levels: "the freedom of individuals, the self-regulation of towns and municipalities; the autonomy of the regions; the sovereignty of Member States and the common Union. (*No 28/Voggenhuber, MacCormick, Lichtenberger*).
- State that the citizens referred to in Article 33 are citizens of "the European Union"/ "of the Member States" /"its" citizens (*No 12/Heathcoat-Amory and Bonde, No 11/Hain*).
- The expression "equal attention" in the second part of the sentence is sometimes replaced by other wordings such as "citizens shall enjoy the same rights"(*No 19/Muscardini*).
- Delete "shall receive equal attention from the Union's institutions" (*No 5/de Vries and de Bruijn, No 8/Fini, No 15/Jacobs, No 17/ Lopes et Lobo Antunes, No 18/Meyer*).
- Review the wording of Article 33 so as not to give the impression that the "principle of equality of citizens" is the only principle which governs the operation of the Union (*No 2/Attalides*).
- State that the principle of equality must be respected "by all the Union institutions" (*No 3/Azevedo and Nazaré Pereira*).
- Widen the scope beyond "citizens" to "persons legally residing in a Member State" (*No 27/Timmermans*).
- Recast Article 33 and substitute a provision setting up a "Congress of representatives of national parliaments and of the European Parliament" (*No 30/de Villepin*).

Drafting amendments:

➤ *No 13/Hjelm-Wallen + 4, No 20/Oleksy, No 24/Santer + 4.*

Article 34: The principle of participatory democracy

- 1. Every citizen shall have the right to participate in the democratic life of the Union.***
- 2. The Union institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their opinions on all areas of Union action.***
- 3. The Union institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society.***

EXAMINATION OF THE AMENDMENTS BY TOPIC

General

- Proposal to change the title of the article to "European democracy" (No 7/Duff + 22, No 8/Dybkaer), or "the civil dialogue" (No 32/Sigmund, Briesch et Frerichs), or to change the English version to "the principle of democratic involvement" (No 23/Lennmarker).
- Proposal to delete the paragraphs in the draft and replace them by a single paragraph stating that the principle of the Union will be that decisions are taken and powers exercised at the lowest possible level, which will entail, where necessary, restoration of powers to national parliaments (No 15/Heathcoat-Amory and Bonde).
- Merge paragraphs 2 et 3 (No 28/Palacio).
- Replace the references to "Union" by references to "Community" (No 21/Kirkhope).

Paragraph 1.

Reference to citizens:

- Change the reference to citizens, indicating that they are "citizens of the Union, organised or otherwise " (No 6/de Vries et de Bruijn), or simply "citizens of the Union" (No 10/Farnleitner, Tusek, Bösch and Mainoni, No 11/Muscardini, No 14/Hain, No 17/Hololei), or replace "citizen" by "person" (No 35/Voggenhuber and 4).

Participation democracy and representative democracy:

- Replace the text of this paragraph by one which encourages citizens to participate in the democratic life of the Union, states that they are directly represented in the European Parliament and that Member State governments are represented in the European Council and Council, and are accountable to national parliaments. (No 7/Duff + 22, No 8/Dybkaer), or one which specifies that citizens participate in the democratic life of the Union, particularly through European elections and European referenda (No 19/Kaufmann).

- Add that participatory democracy will be respected at Union, State, regional and local level (No 16/Hjelm-Wallén + 4).

Other topics:

- Add that free access to the Union's legislation and decision-making process will be provided on the Internet. (No 3/Bonde and Zahradil).
- Add that each Union action emanates from the citizens and the Member States (No 12/Fischer).
- Add a reservation to the effect that this right of citizens must be consistent with the equivalent right in the respective Member State (No 21/Kirkhope).
- Replace the paragraph by a text relating to the principles of dialogue and mutual respect in relations between the Union institutions and organisations representing various economic, social, cultural or religious interests (No 29/Queiró).
- Replace the paragraph by a text stating that the Union institutions will ensure transparency and implement information procedures, hearings and consultation procedures (No 32/Sigmund, Briesch and Frerichs).
- Add that the Union recognises that freedom of information and active citizenship are fundamental for the democratic legitimacy of its decisions and actions, and that it takes its decisions as openly and as closely to the citizen as possible (No 35/Voggenhuber + 4).
- Add that in addition to citizens' right to participate in the democratic life of the Union, they also have the right to take part in the decision-making process (No 49/Filibeck).

Paragraph 2.

Taking decisions close to citizens:

- Add that decisions will be taken as openly as possible and as closely to the citizen as possible (No 7/Duff + 22, No 8/Dybkaer).

Actors:

- Add that lobbyists have access to the Union institutions as long as they are publicly registered and declare their source of income (No 3/Bonde and Zahradil).
- Add a reference to the social partners (No 12/Fischer).
- Add specific references to civil society, regional and local actors (No 20/Kiljunen) or to "civil society" (No 38/Timmermans).
- Add a reference to the feminine form of the word "citizens": (*editor's note: it is difficult to translate the feminine form into several of the Union's official languages* (No 19/Kaufmann)).
- Add a reference to "persons residing in a Member State" and add that the Union encourages its citizens to participate in democratic associations (No 27/Paciotti, No 34/Van Lancker + 10).

including *Paciotti*). Add a reference to "natural or legal persons residing in a Member State" (*No 38/Timmermans*).

Associations:

- Specify that these are associations recognised at national and European level, that the means are defined and that the opinions relate to actions of the Union in the areas in which it is competent (*No 25/Muscardini*).
- Delete the reference to representative associations (*No 16/Hjelm-Wallén and 4*) or simply the word "representative" (*No 36/Wuermeling*). Delete "by appropriate means" (*No 22/Kohout, No 24/Migaš*).

Dialogue, consultation, exchange of information and experience:

- Replace the paragraph by a text stating that the institutions will organise public consultations and other forms of dialogue relating to legislative initiatives, except in emergencies (*No 29/Queiró*).
- Replace the paragraph by a text stating that the Union will facilitate and ensure (regular and structured) dialogue with representative associations of civil society (*No 32/Sigmund, Briesch and Frerichs*), or that the Union institutions will take appropriate measures to facilitate the expression of opinions and expertise through non-governmental organisations on all areas of the Union's action (*No 49/Filibeck*). Reformulate the paragraph by replacing "representative associations" by "civil society, particularly in the context of associations" and "the opportunity to make known " by "the opportunity to be informed about the democratic life of the Union" and supplement "opinions" by "and, where appropriate, their expertise" (*No 50/de Villepin*).
- Make it clear that citizens and associations will have the opportunity to take part in the decision-making process through plebiscites regarding European legislation and popular referenda (*No 35/Voggenhuber and 4*).
- Replace the paragraph by a text relating to the promotion of active citizenship, recognition of the contribution of organised civil society, and encouragement to citizens to participate in democratic associations (*No 37/Gabaglio*).

Deletion:

- Delete the paragraph (because it is unclear what it might imply if interpreted by the Court, *No 6/de Vries and de Bruijn*).

Paragraph 3.

Civil society:

- Amend the text to read "representative associations of civil society (No 1/Azevedo and Pereira). Delete the reference to representative associations, mention "organised civil society" (No 18/Jacobs). Change the word order to read "civil society, particularly representative associations" (No 36/Wuermeling). Replace "representative associations" by "civil society through consultation with representative organisations and the social partners" (No 49/Filibeck).
- Add "and citizens of the Union, organised or otherwise" (No 6/de Vries and de Bruijn).

Social partners, social dialogue:

- Add "the social partners" (No 7/Duff + 22, No 8/Dybkaer, No 35/Voggenhuber and 4) or a reference to supporting the autonomous dialogue between the social partners (No 12/Fischer). Add specific references to trade-union headquarters, business, professional and non-governmental organisations and organisations representing cooperatives (No 4/Borrell, Carnero and López Garrido).

Associations representing the regional and local level:

- Add a reference to associations representing regional and local government (No 14/Hain) or regional and local actors (No 20/Kiljunen).
- Add "structured" before "dialogue" (No 19/Kaufmann, No 26/Oleksy, No 39/Gabaglio, No 49/Filibeck) and "organised" before "civil society" (No 19/Kaufmann, No 39/Gabaglio). Specify that the associations in question are recognised at national and European level (No 25/Muscardini).

Dialogue, consultations, transparency:

- Add that the institutions will also promote dialogue, and that the Commission will undertake extensive consultations when preparing legislative initiatives, to secure democracy, proportionality, consistency and transparency (No 16/Hjelm-Wallén and 4). Replace "maintain" by "ensure" or "guarantee" (No 17/Hololei, No 19/Kaufmann, No 26/Oleksy, No 49/Filibeck).
- Add that the dialogue must be based on transparency and openness in the Union's decision-making process (No 3/Bonde and Zahradil).
- Amend the text to read that institutions will facilitate the public expression and exchange of opinions by citizens and associations (No 11/Muscardini).
- Replace the paragraph by a text stating that the Economic and Social Council is the focus for dialogue between civil society organisations and the Union (No 32/Sigmund, Briesch and Frerichs).

- Add that the European Parliament and the "Legislative Council" shall lay down the conditions and the timeframe along which the Commission shall proceed before presenting the draft of European Law or European Framework Law (No 9/Einem).

Deletion:

- Delete the paragraph (No 13/Haenel and Badinter, No 50/de Villepin).

Proposals to add one or more paragraphs.

Citizens' rights (European and municipal elections):

- Add a new paragraph 1 on the right of every citizen of the Union to vote and stand as candidate for European elections (No 10/Farnleitner, Tusek, Bösch and Mainoni) and a paragraph 2 on the right of every citizen residing in a Member State of which he is not a national to vote there and to stand as candidate for municipal and European elections (No 9/Einem).

The contribution of civil society and the voluntary sector:

- Add a new paragraph 2 acknowledging the contribution of civil society to European democracy (No 11/Muscardini, No 33/Tajani, No 49/Filibeck) or acknowledging that participatory democracy is a complement of representative democracy and that the Union guarantees the participation of representative associations of civil society which respect the Union's values in the Union's democratic life (No 27/Paciotti, No 34/Van Lancker and 10 including Paciotti). Add a reference to promoting active citizenship and the participation of citizens, in particular young people, in democratic associations (No 49/Filibeck).
- Add a paragraph according to which the Union's institutions set up information and consultation procedures in order to allow the participation of civil society associations in drawing up the Union's policies (No 27/Paciotti, No 34/Van Lancker + 10 including Paciotti)
- Add a paragraph 4 on early consultation of the parties concerned by the Commission, with a view to ensuring coherence and transparency (No 2/Berès and 10).
- Add a paragraph 4 stating that the Economic and Social Committee is the institution ensuring structured dialogue with European civil society (No 4/Borrell, Carnero and López Garrido).

Social partners and social dialogue:

- Add a paragraph on the Union's acknowledgement and promotion of the involvement of social partners in the Union's economic and social governance (No 3/Bonde and Zahradil, No 5/Brok + 34 No 7/Duff and 22, No 8/Dybkaer, No 19/Kaufmann, No 22/Kohout, No 31/Severin, No 35/Voggenhuber + 4, No 41/Kristensen + 4) and the promotion and support of social dialogue while respecting the autonomy of social partners (No 3/ Bonde and Zahradil, No 5/Brok + 34, No 19/Kaufmann, No 22/Kohout, No 31/Severin, No 41/ Kristensen + 4) and the diversity of national systems in that field (No 3/Bonde and Zahradil, No 41/Kristensen + 4).

- Add a paragraph with the provisions for setting up a European social forum, its composition, frequency of its meetings and tasks (*No 31/Severin*).

Consultation with regional and local authorities:

- Add a new paragraph on respect for the autonomy of regional and local government and specify that the regional and local authorities shall be consulted in the Committee of the Regions (*No 7/Duff and 22, No 8/Dybkjaer*).
- Add a paragraph stating that the Commission, in cooperation with national authorities, shall conduct appropriate consultations with regional and local bodies, and that it shall promote consultation with social partners and take every measure to facilitate social dialogue (*No 28/Palacio*).

Miscellaneous:

- Add a new paragraph according to which the Union acknowledges the important contribution of national parliaments to its democratic life (*No 30/Schlüter*).
- Add a paragraph 4 stating that the Union's institutions shall be open to the media and shall facilitate their work while respecting their independence (*No 27/Paciotti, No 34/Van Lancker + 10 including Paciotti*).
- Add a paragraph stating that citizens and their organisations have the right to bring proceedings before the European Court of Justice in order to challenge institutions' decisions which affect them directly (*No 40/Fayot*).

Proposals to add a new article.

- Creation of citizen's legislative initiatives and European Referenda (*No 42/Borrell, Carnero and López Garrido*). Creation of European Citizens' Initiatives, European Citizens' Demands and European Citizens' Referenda (*No 43/Einem and Berger*), and the forms which they may take (*No 43/Einem et Berger*). Article on the right of petition and European Referendum (*No 47/Lamassoure*).
- Article on the role of social partners, social dialogue (*No 44/Floch, No 45/Gabaglio, No 46/Jacobs, No 48/Van Lancker and 11*) and on promoting the involvement of social partners in economic and social governance (*No 44/Floch, No 48/Van Lancker + 11*).

Article 35: The European Ombudsman

An Ombudsman shall be appointed to receive, investigate and report on complaints concerning instances of maladministration within the Union institutions.

EXAMINATION OF THE AMENDEMENTS BY TOPIC

Appointment:

- *Specify that it is the European Parliament that appoints the Ombudsman* (No 4/Borrell, Careno and López Garrido, No 6/Duff + 28, No 8/Fischer, No 11/Kaufmann, No 16/Muscardin, No 17/Paciotti + 10, No 22/Voggenhuber and 4). *Add provisions regarding the appointment* (No 11/Kaufmann).
- *Mention the appointment in Part II* (No 9/Haenel et Badinter).

Independence:

- *Add a reference to the Ombudsman's independence* (No 5/de Vries and de Bruijn, No 21/Timmermans).

Mandate:

- *Replace "within the Union institutions" with "in the activities of the Union institutions or bodies, with the exception of the Court of Justice and the Court of First Instance"* (No 5/de Vries and de Bruijn, No 14/Lopes and Lobo Antunes) *or by "by the Union institutions or bodies"* (No 16/Muscardini) *or add "with the exception of the Court of Justice and the Court of First Instance"* (No 18/Palacio, No 25/de Villepin) *or add "or bodies" after "institutions"* (No 22/Voggenhuber + 4).
- *Add that the Ombudsman has the right to monitor any document that the Union possesses, and any document relating to Union-funded projects* (No 3/Bonde + 4).
- *Add that the Ombudsman may address recommendations to the Institutions, which are obliged to answer them* (No 17/Paciotti + 10).

Other topics:

- *Add a reference to the detailed provisions in Part II* (No 7/Farnleitner and 3). *(Also mentioned in a comment to amendment No 2/Azevedo and Nazaré Pereira).*
- *Replace "Union" by "Community"* (No 12/Kirkhope).
- *Replace the text by the provisions of Article 43 of the Charter of Fundamental Rights if it is decided to keep the Article* (No 20/Roche).
- *Delete the Article* (No 13/Korčok, No 15/Meyer)
- *Replace with an article on the European Public Prosecutor* (No 19/Queiró).

Proposals to add one or more paragraphs.

- *Add a paragraph under which the Ombudsman shall submit an annual report to the European Parliament and, simultaneously, to the national parliaments (No 24/Vassiliou).*
- *Add a paragraph on the cooperation between the European Ombudsman and the Ombudsmen of Member States (No 1/Avgerinos, Giannakou and Stylianidis). Add that the Ombudsman has deputies in each Member State (No 16/Muscardini)*

Other

- In Amendment No 10, Mr Hain wonders whether the article is appropriate for CFSP.

Article 35a: Political parties at European level

Political parties at European level contribute to forming a European awareness and to expressing the political will of the citizens of the Union.

EXAMINATION OF THE AMENDEMENTS BY TOPIC

Use Article 191 TEC or certain elements of that article:

- Add that these parties are important as a factor for integration within the Union (from Article 191 TEC, No 12/Hübner, No 17/Lopes and Lobo Antunes, No 26/Santer+ 3).
- Replace with the text of Article 191 TEC, adapting the reference to the adoption of rules (reference to the legislative procedure) and adding a final paragraph on the democratic internal organisation of parties and democratic procedures to nominate candidates for European elections (No 3/Brok+ 36, No 9/Follini). Use Article 191 TEC (No 8/Floch).

Definitions:

- Replace "at European level" with "and movements" and replace "European" with "democratic" (No 1/Bonde and 3). Replace "at European level" with "active in the European Union" and "forming a European awareness" with "determining the Union's policies" (No 7/Fini). Delete the words "to forming a European awareness" (No 11/Hjelm-Wallén + 4, No 16/Lennmarker, No 20/Queiró).
- Add "fundamentally" before "contribute" and "and pluralism" after "will". Add that the parties must respect the Union's values and have a democratic structure and procedures (No 2/Borrell, Carnero and López Garrido) or that they must "respect the Union's values" (No 24/Van Lancker + 10).

Legal basis for the establishment of European political parties:

- Replace the proposed text and introduce a legal basis for the establishment of European political parties (No 4/Duff + 19, No 23/Severin). Replace with an article on the European political parties (No 13/Kaufmann).

Miscellaneous:

- Add "and shall be promoted" at the end of the article (No 25/Voggenhuber + 4).
- Add ", in parallel with national delegations to the European Parliament" after "Political parties at European level" (No 5/The Earl of Stockton). Replace the Article by a text on the role of national delegations in the European Parliament (No 14/Kirkhope).
- Drafting modifications (sequence) (No 19/Migaš).

Deletion:

- Delete *the article* (No 10/Heathcoat-Amory, Bonde, No 15/Korčok, No 18/Meyer).

Proposals to add one or more paragraphs

- Add a paragraph on the adoption of rules governing [the statute of] political parties at European level and in particular their funding (No 6/Einem, No 11/Hjelm-Wallén + 4, No 22/Rupel, No 29/de Villepin).

Proposals to add a new article

- Add an article on the formation of trade unions at European level (No 23/Severin).
- Add an article on the role of social partners at European level in the definition of the Union's social dimension (No 30/de Villepin).
- Add an article on the importance of media pluralism for the Union's democratic life (No 27/Kaufmann).
- Add an article on the right of any citizen or any natural or legal person residing or having its registered office in a Member State to petition the European Parliament (No 28/Van Lancker + 9).

Article 36: Transparency of the proceedings of the Union's institutions

1. *In order to promote good governance and ensure the participation of civil society, the Union institutions shall conduct their work as openly as possible.*
2. *The European Parliament shall meet in public, as shall the Council when it is discussing a legislative proposal.*
3. *Any citizen of the Union, man or woman, and any natural or legal person residing in a Member State, shall have a right of access to European Parliament, Council and Commission documents in whatever form they are produced, and to those of the agencies and bodies created by those institutions.*
4. *General principles, conditions and limits which, on grounds of public or private interest, govern the right of access to documents shall be determined by the European Parliament and the Council in accordance with the legislative procedure.*
5. *Each institution, agency or body referred to in paragraph 2 shall determine in its own Rules of Procedure specific provisions regarding access to documents.*

EXAMINATION OF THE AMENDMENTS BY TOPIC

General

- Replace "Union" with "Community" (No 16/Kirkhope).

Paragraph 1

Transparency and openness of the institutions' proceedings:

- Add "the agencies and bodies created by those institutions" and replace "openly" with "transparently" (No 1/Azevedo and Nazaré Pereira). Delete the words "as... as possible" (No 11/Fischer, No 15/Kaufmann). Add "and transparent" (No 17/Korčok). Replace "as openly as possible" with "openly, unless there are compelling reasons for the matter to be debated "in camera"" (No 16/Kirkhope), by "in accordance with the principle of openness" (No 18/Lennmarker), by "in accordance with the principles of openness and transparency" (No 19/Lequiller), or by "shall operate in a transparent manner" (No 21/Muscardini). Redraft to state that the Union institutions shall act in accordance with the principle of transparency during deliberation procedures (No 31/Quieró). Replace the text to the effect that the institutions "shall conduct their work as openly as possible" with a text to the effect that they "shall have lists of incoming and outgoing post and easily accessible archives" (No 2/Bonde + 4).

Miscellaneous:

- Add "democratic" before "participation" (*No 14/Heathcoat-Amory and Bonde*). Replace "civil society" with "citizens" (*No 20/Lopes and Lobo Antunes, No 29/Hjelm-Wallén and 4*).
- Add "facilitate full information for citizens" before "promote good governance" (*No 30/Attalides*).

Deletion:

- Delete the paragraph (*No 8/Duff + 20, No 28/Voggenhuber, MacCormick and Lichtenberger*).

Paragraph 2

Transparency of the Council's proceedings:

- Replace "discussing a legislative proposal" with "invested with legislative powers" (*No 1/Azevedo and Nazaré Pereira*), by "the legislative Council" (*No 9/Einem*), by repeating the wording of Article 25(2) of Part One of the Constitution (*No 10/Farnleitner and 3, No 24/Santer + 4*), by "intervenes in the legislative procedure" (*No 19/Lequiller*), by "during the presentation and the voting of" (*No 20/Lopes and Lobo Antunes*), by "when it is acting as a legislator" (*No 23/Rupel and Lenarčič, No 31/Quieró*) and a reference to the rules of procedure (*No 31/Quieró*). Replace "discussing" with "acting on" (*No 40/de Villepin*). Add the adoption of a legislative proposal to the discussion (*No 4/Brok + 37, No 12/Follini, No 29/Hjelm-Wallén + 4*) and add that the minutes will be made public (*No 4/Brok + 37, No 12/Follini, No 19/Lequiller*). Replace the paragraph with "the European Parliament and the legislative Council shall meet in public" (*No 25/Severin*).

Miscellaneous:

- Add specific elements concerning access for elected politicians to documents: agendas, working documents and lists of scheduled meetings for all meetings in the Council and Commission working groups (*No 2/Bonde + 4*).
- Without proposing an amendment, *Mr Hain (No 13)* would like greater clarity on exactly how far these provisions extend (only to full meetings of the Council, or also to Working Groups and Coreper ?).

Deletion:

- Delete the paragraph (No 8/Duff + 20, No 15/Kaufmann, No 28/Voggenhuber, MacCormick and Lichtenberger)

Paragraph 3

Definitions:

- Delete the feminine form of "citizen" (No 1/Azevedo and Nazaré Pereira, No 6/Demiralp, No 7/de Vries and de Bruijn, No 10/Farnleitner + 3, No 17 Korčok, No 22/Roche, No 26/Tiilikainen + 4, No 33/Hjelm-Wallén and 7, No 34/Attalides, No 35/Queiró) (editor's note: the feminine form does not translate easily into all the languages of the Union) and replace "residing" by "having a domicile" (No 1/Azevedo and Nazaré Pereira) and add "having its registered office" (No 13/Hain, No 22/Roche, No 26/Tiilikainen + 4, No 33/Hjelm-Wallén + 7, No 40/de Villepin) or "having its head office" (No 35/Queiró). Amend the text to specify that each citizen of the Union and any natural or legal person residing in a Member State shall have access to documents (No 3/Borrell, Carnero and López Garrido). Amend to state that "any citizen of the Union, and any natural or legal person ..." (No 8/Duff + 20).
- Amend to "documents of the Union institutions, agencies and bodies", without specifying that the agencies and bodies are created by the institutions (No 4/Brok + 37, No 8/Duff + 20, No 12/Follini, No 15/Kaufmann, No 26/Tiilikainen + 4). Refer simply to the "institutions" with no further details (No 7/de Vries and de Bruijn, No 33/Hjelm-Wallén + 7, No 36/Timmermans). Add "or by this Constitution" after "agencies and bodies created by those institutions" (No 27/Van Lancker + 9, No 36/Timmermans, No 39/Teufel).
- Add the European Council (No 27/Van Lancker and 9), the Committee of the Regions (No 5/Chabert + 5) and the European Central Bank (No 19/Lequiller) to the list of institutions.
- Specify that the documents are documents in the possession of the institutions (No 3/Borrell, Carnero and López Garrido, No 7/de Vries and de Bruijn) or documents of the institutions, omitting the reference to their "form" (No 15/Kaufmann, No 35/Queiró). Replace "in whatever form they are produced" by "whatever their medium" (No 40/de Villepin). Replace "access to [...] documents" by "access to the body of [...] documents" (No 19/Lequiller). Add that the documents to which the right of access applies shall be available in all the official languages of the Union (No 19/Lequiller).

Miscellaneous:

- Add that access to documents is "direct" and that access applies also to agencies and bodies "co-financed" by the institutions (*No 2/Bonde + 4*)
- Add a reference to the rules that will have to be defined according to paragraph 4 (*No 13/Hain*)

Deletion:

- Delete paragraph (*No 11/Fischer, No 28/Voggenhuber, MacCormick and Lichtenberger*).

Paragraph 4

Principles, conditions and limits:

- Delete the word "conditions" (*No 4/Brok and 37, No 12/Follini, No 26/Tiilikainen and 4, No 33/Hjelm-Wallen + 7*), delete the words "general principles, conditions and" (*No 2/Bonde and 4*), or replace the words "the general principles, the conditions" by "the general conditions" (*No 37/Bonde and Duff*).
- Amend the text to say that "limits ...can only be determined" by the institutions in accordance with the legislative procedure. (*No 2/Bonde + 4*). Add an initial sentence whereby "All Union documents are publicly accessible" and a final sentence whereby specific derogations shall be decided by the Council acting by unanimity (*No 37/Bonde and Duff*).

Time limit for the adoption of specific provisions:

- Add a time limit of 2 years for the adoption of rules (principles and limits) concerning access to documents (*No 4/Brok + 37, No 12/Follini, No 26/Tiilikainen + 4, No 33/Hjelm-Wallen + 7*) and add that these rules also apply to Member States in the areas of European legislation (definition, negotiation and implementation) (*No 4/Brok + 37, No 12/Follini*).

Miscellaneous:

- Change the structure of the paragraph, starting with the legislative procedure and add a reference to the institutions, agencies and bodies referred to in paragraph 3 (*No 10/Farnleitner + 3*).
- Delete the specific reference to the institutions (*No 7/de Vries and de Bruijn*). Replace the reference to the "Council" by "Legislative Council" (*No 9/Einem*).

- Add that Members of the European Parliament will have right of access to any Council, Commission or Parliament document (*No 16/Kirkhope*).
- Drafting amendments: replace "to documents" by "to such documents" (*No 14/Heathcoat-Amory and Bonde*), replace "govern" by "governing this" (*No 33/Hjelm-Wallén + 7*).
- Move the paragraph to Part Two of the Constitution (*No 8/Duff + 20*).

Paragraph 5

- Add a reference to the legislation referred to in paragraph 4 (*No 4/Brok + 37, No 7/de Vries and de Bruijn, No 12/Follini*).
- Replace the words "shall determine... specific provisions regarding access to its documents" by "shall determine the details" (*No 11/Fischer*).
- Delete paragraph (*No 2/Bonde + 4, No 8/Duff + 20, No 15/Kaufmann, No 28/Voggenhuber, MacCormick and Lichtenberger*).

Some members of the Convention also noted a typing mistake in the draft article: the reference to paragraph "2" should be "3".

Proposals to add one or more paragraphs

- Add a paragraph concerning public access to drafts and proposals as soon as they are adopted or handed over to other bodies, organisations or individuals, or published (*No 4/Brok + 37, No 12/Follini*).
- Add a paragraph on the recognition and protection of whistleblowers in the institutions and agencies of the Union (*No 14/Heathcoat-Amory and Bonde*).
- Add a paragraph on freedom of expression of the members of the institutions, the members of committees and the officials and other servants of the institutions (*No 18/Lennmarker, No 38/Hjelm-Wallén and 5*).
- Add a paragraph whereby the principles and the conditions of access to documents shall also apply to the Member States when they carry out Union policies (*No 27/Van Lancker and 9*).
- Add a paragraph whereby compliance with the rules is subject to monitoring by an independent authority (*No 22/de Villepin*).

Article 36a : Protection of personal data

1. *Everyone has the right to the protection of personal data concerning him or her.*
2. *The Parliament and the Council, in accordance with the legislative procedure, shall adopt the rules relating to the protection of individuals with regard to the processing of personal data by the Union's institutions and bodies, and by the Member States when carrying out activities which come under the scope of Union law, and the rules relating to the free movement of such data.*

EXAMINATION OF THE AMENDMENTS BY TOPIC

In general

- Delete the article (No 4/Heathcoat-Amory and The Earl of Stockton, No 12/Heathcoat-Amory, No 16/Korčok).

Paragraph 1

Definitions:

- Replace "everyone" by "every" and add "natural or legal person" (No 1/Azevedo and Nazaré Pereira, No 7/Figel and Migaš).
- Delete "concerning him or her" and add "and business secret" (No 7/Figel and Migaš).
- Add "unless the data contains information regarding the execution of a public duty" (No 21/Bonde + 4).

Deletion:

- Delete paragraph (No 2/de Vires et de Burin, No 3/Duff + 22, No 5/Einem, No 8/Fischer, No 10/Haenel and Badiner, No 11/Hain, No 14/Kaufmann, No 17/Meyer, No 20/Voggenhuber + 2).

Paragraph 2

Definitions:

- Delete "individuals" and add "natural or legal persons" (No 1/Azevedo and Nazareth Pereira).
- Add "European" before "Parliament" and "in the areas which come under" (No 19/Queiró).

Miscellaneous:

- Redraft by deleting the words "The Parliament and the Council" and stating that "rules shall be adopted" (*No 2/de Vries and de Bruijn*). Add that rules shall be adopted (*No 10/Haenel and Badinter*).
- Add a reference to the Charter of Fundamental Rights (*No 5/Einem*).
- Replace "Union" by "Community" (*No 15/Kirkhope*).
- Move the paragraph to Part Two of the Constitution (*No 2/de Vries and de Bruijn, No 3/Duff + 22, No 11/Haen, No 17/Meyer*).

Proposals to add one or more paragraphs

- Add a paragraph on the establishment of a monitoring body/independent monitoring authority (*No 6/Farnleitner + 3, No 9/Floch, No 22/de Villepin*).
- Add a paragraph whereby the Parliament and the Council, in accordance with the legislative procedure, shall adopt rules on data processing systems to combat piracy (*No 18/Muscardini*).

Proposals to add an article

- Add an article concerning the principles of good administration (*No 13/Hjelm-Wallén + 7*).

Article 37: Status of churches and non-confessional organisations

- 1. The European Union respects and does not prejudice the status under national law of churches and religious associations or communities in the Member States.***
- 2. The European Union equally respects the status of philosophical and non-confessional organisations.***
- 3. The Union shall maintain a regular dialogue with the churches and organisations, recognising their identity and their specific contribution.***

EXAMINATION OF THE AMENDMENTS BY TOPIC

In general

The Secretariat has received several proposals for the deletion of Article 37 as a whole. The proposals in this vein usually state that the substance and status of Declaration No 11 of the Treaty of Amsterdam would be maintained. The amendments or comments which can be grouped together in this connection are those of: No 18//Kirkhope, No 24/Szajer, No 26/Van Lancker + 6, No 2/Azevedo and Nazaré Pereira, No 3/Badinter, No 7/Demilralp, No 9/Duff + 21, No 14/Helle + No 15/Hjelm-Wallen + 3, No 16/Hololei, No 17/Kaufmann, No 19/Kohout, No 22/Santer + 3, No 27/Voggenhuber + 3, No 33/de Villepin.

Title

- Add "confessional" in the title: "The status of churches and confessional and non-confessional organisations" (No 4//Berger + 3).

Paragraphs 1 and 2 (current declaration 11 annexed to the Treaty of Amsterdam):

- Delete the word "philosophical" in paragraph 2 (No 6/Borrel + 3, No 11/Fini) (replace "philosophical" by the adjective "cultural")
- Make it clear in paragraph 2, as is the case in paragraph 1, that the status of non-confessional organisations is laid down by "national law" (No 11/Fini).
- Make it clear that the status of "schools" is also covered by the first paragraph in order to ensure that freedom to appoint teaching staff on the basis of religious criteria cannot be claimed to be discriminatory (No 13/Heathcoat-Amory).

- *Make it clear that churches, associations and religious communities must respect the "values established by this Constitution"/"must not endanger the integrity of the individual" in order to fight against sects (No 21/Lequiller).*
- *Cover not only the "status" but also the "activities" of churches, religious associations or communities and philosophical and non-confessional organisations (No 5/Bonde + 4).*
- *Drafting amendments: No 10/Figel + 1 (delete "equally" in paragraph 2) and No 28-29/Queiro (delete "European" before "Union" in paragraphs 1, 2 and 3).*

Paragraph 3

- *Deletion (No 8/de Vries and de Bruijn, No 4/Berger + 3, No 5/Bonde + 4, No 6/Borrel + 2, No 12/Floch, No 26/Van Lancker + 6, No 30/Queiró).*
- *Make it clear that the dialogue with churches and non-confessional organisations must not lead to the Union providing "financial assistance" to permit such dialogue (No 13/Heathcoat-Amory + Bonde).*
- *Limit the scope of paragraph 3 to churches (since non-confessional organisations are covered by Article 34), No 24/Szajer.*
- *Make it clear that the dialogue must not only be "regular" but also "open and transparent" (No 25/Tiilikainen + 4).*
- *Make it clear that the dialogue with the churches is conducted in compliance with the "profoundly lay nature of the European Union" (No 31/Floch).*

Proposal for the addition of a paragraph or article

- *Add at the end of Article 37 an Article 37a which, modelled on Article 37, would cover the regions and local authorities (No 32/Teufel).*
- *Add a first paragraph guaranteeing religious freedom (No 23/Spini).*

LIST OF AMENDMENTS TO ARTICLE 33

1. *Ms Kaufmann*
2. *Mr Attalides*
3. *Ms Azevedo, Mr Nazaré Pereira*
4. *Mr Bonde, Mr Dalgaard, Mr Skaarup, Mr Zahradil*
5. *Mr de Vries, Mr de Bruijn*
6. *Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Karel De Gucht, Mr Peeter Kreitzberg, Mr Algirdas Gričius, Mr Puiu Hasotti, Mr Jelko Kacin, Mr Zekeriya Akçam and Mr Eugenijus Maldeikis; Ms Lone Dybkjaer, Mr Valdo Spini, Ms Elena Paciotti, Mr Willem Van Eekelen, Lord MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Ms Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Patrick Dewael, Mr Ibrahim Ozal, Mr Gintautas Sivickas*
7. *Mr Farnleitner + Mr Tusek, Mr Bösch + Mr Mainoni*
8. *Mr Fini*
9. *Mr Fischer*
10. *Mr Haenel and Mr Badinter*
11. *Mr Hain*
12. *Mr Heathcoat-Amory, Mr Bonde*
13. *Ms Hjelm-Wallén, Mr Petersson (alternate) + Mr Lekberg, Mr Svensson, Mr Kvist*
14. *Ms Hübner*
15. *Mr Jacobs*
16. *Mr Kirkhope*
17. *Mr Lopes + Mr Lobo Antunes*
18. *Mr Meyer*
19. *Ms Muscardini*
20. *Mr Oleksy*
21. *Mr Queiró*
22. *Mr Roche*
23. *Mr Rupel, Mr Lenarčič*
24. *Mr Santer, Mr Helminger + Mr Fayot as well as Ms Wagener and Mr Schmit*
25. *Ms Sigmund, Mr Briesch and Mr Frerichs*
26. *Ms Tiilikainen, Mr Peltomäki, Mr Kiljunen, Mr Vanhanen, Ms Korhonen*
27. *Mr Timmermans*

28. *Mr Voggenhuber, Mr MacCormick, Mr Lichtenberger*
29. *Mr Wuermeling*
30. *Mr de Villepin*

LIST OF AMENDMENTS TO ARTICLE 34

1. *Maria Eduarda Azevedo + António Nazaré Pereira*
2. *Pervenche Berès, Alexandru Athanasiu, Josep Borell Fontenes, Carlos Carnero Gonzales, Olivier Duhamel, Constantin Ene, Ben Fayot, Jacques Floch, Luis Marinho, Jürgen Meyer, Hildegard Puwak*
3. *Mr Bonde, Mr Zahradil*
4. *Mr Borrell, Mr Carnero y López Garrido*
5. *Brok; Santer; Stylianidis; Szajer; Tajani; Teufel; van der Linden; Almeida Garrett; Alonso; Azevedo; Basile; Brejc; Cisneros; Cushnahan; Demetriou; Dolores; Figel; Fogler; Follini; Frendo; Giannakou; Kauppi; Kelemen; Korhonen; Krasts; Kroupa; Lequiller; Maij-Weggen; Mladenov; Piki; Rack; van Dijk; Wittbrodt; Würmeling; Zile*
6. *G.M. de Vries, T.J.A.M. de Bruijn*
7. *Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Dimitrij Rupel, Mr Alain Lamassoure, Mr Matti Vanhanen, Mr Peeter Kreitzberg, Mr Algirdas Gričius, Mr Puii Hasotti, Mr Jelko Kacin, Mr Zekeriya Akçam, Mr Eugenijus Maldeikis, Ms Lone Dybkjaer, Mr Valdo Spini, Mr Willem Van Eekelen, Lord MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Ms Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Ibrahim Ozal and Mr Gintautas Sivickas*
8. *Ms Lone Dybkjaer*
9. *Mr Caspar Einem*
10. *Mr Hannes Farnleitner, Mr Gerhard Tusek, Mr Reinhard Eugen Bösch, Mr Eduard Mainoni*
11. *Mr Gianfranco Fini*
12. *Mr Joschka Fischer*
13. *Mr Haenel, Mr Badinter*
14. *Mr Hain*
15. *Mr David Heathcoat-Amory, Mr Bonde*
16. *Ms Lena Hjelm-Wallén, Mr Sven-Olof Petersson, Mr Sören Lekberg, Mr Kenneth Kvist, Mr Ingvar Svensson*
17. *Mr Henrik Hololei*
18. *Mr Georges Jacobs*
19. *Dr Sylvia-Yvonne Kaufmann*
20. *Mr Kimmo Kiljunen*
21. *Timothy Kirkhope*
22. *Mr J. Kohout*
23. *Mr Göran Lennmarker*

24. *Mr Juraj Migaš (Slovakia)*
25. *Ms Cristiana MUSCARDINI*
26. *Mr Józef Oleksy*
27. *Ms Elena PACIOTTI*
28. *Ms Palacio*
29. *Mr Luís Queiró*
30. *Mr Poul Schlüter*
31. *Mr Adrian Severin*
32. *Ms Sigmund, Mr Briesch and Mr Frerichs*
33. *Mr Antonio Tajani*
34. *Ms Anne van Lancker, Mr Olivier Duhamel, Mr Caspar Einem, Mr Ben Fayot, Ms Linda McAvan, Mr Luis Marinho, Ms Pervenche Berès, Ms Maria Berger, Mr Carlos Carnero, Ms Elena Paciotti, Ms Helle Thorning-Schmidt*
35. *Mr Voggenhuber, Ms Wagener, Mr MacCormick, Mr Lichtenberger, Ms Nagy*
36. *Mr Joachim Wuermeling*
37. *Mr Emilio Gabaglio*
38. *Mr Frans Timmermans*
39. *Mr Emilio Gabaglio*
40. *Mr Ben Fayot*
41. *Mr Henrik Dam Kristensen, Ms Lena Hjelm-Wallén, Mr Sören Lekberg, Mr Kimmo Kiljunen, Ms Helle Thorning-Schmidt*
42. *Mr Borrell, Mr Carnero, Mr López Garrido*
43. *Mr Caspar Einem, Ms Maria Berger*
44. *Mr Jacques Floch*
45. *Mr Emilio Gabaglio*
46. *M Georges Jacobs*
47. *Mr Alain Lamassoure*
48. *Ms Anne van Lancker, Mr Olivier Duhamel, Mr Caspar Einem, Mr Ben Fayot, Mr Jürgen Meyer, Ms Linda McAvan, Mr Luis Marinho, Ms Pervenche Berès, Ms Maria Berger, Mr Carlos Carnero, Ms Elena Paciotti, Ms Helle Thorning-Schmidt*
49. *Mr Filibeck*
50. *Mr de Villepin*

LIST OF AMENDMENTS TO ARTICLE 35

1. *AVGERINOS Paraskevas, GIANNAKOU Marietta, STYLIANIDIS Evripidis*
2. *Maria Eduarda Azevedo, António Nazaré Pereira*
3. *Mr Bonde, Mr Dalgaard (alternate), Mr Heathcoat-Amory, Mr Skaarup, Mr Zahradil*
4. *Mr Borrell, Mr Carnero, Mr López Garrido*
5. *G.M. de Vries, T.J.A.M. de Bruijn*
6. *Mr Andrew Duff, Mr Lamberto Dini, Mr Louis Michel, Mr Henning Christophersen, Mr Gijs de Vries, Mr Paul Helminger, Mr Dimitrij Rupel, Mr Karel De Gucht, Mr Matti Vanhanen, Mr Peeter Kreitzberg, Mr Algirdas Gričius, Mr Puiu Hasotti, Mr Jelko Kacin, Mr Zekeriya Akçam, Mr Patrick Dewael and Mr Eugenijus Maldeikis; and Ms Lone Dybkjaer, Mr Valdo Spini, Mr Willem Van Eekelen, Lord MacLennan of Rogart, Mr Pierre Chevalier, Mr Niels Helveg Petersen, Mr Nesrin Uzun, Mr Marios Matsakis, Ms Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Ibrahim Ozal and Mr Gintautas Sivickas.*
7. *Mr Hannes Farnleitner, Mr Gerhard Tusek, Mr Reinhard Eugen Bösch, Mr Eduard Mainoni*
8. *Mr Joschka Fischer*
9. *Mr Haenel, Mr Badinter*
10. *Mr Hain*
11. *Dr Sylvia-Yvonne Kaufmann*
12. *Timothy Kirkhope*
13. *Mr Ivan Korčok*
14. *Mr Ernâni Lopes and Manuel Lobo Antunes*
15. *Professor Jürgen Meyer*
16. *Ms Cristiana Muscardini*
17. *Ms Elena Paciotti, Ms Anne van Lancker, Mr Olivier Duhamel, Mr Caspar Einem, Mr Ben Fayot, Ms Linda McAvan, Mr Luis Marinho, Ms Pervenche Berès, Ms Maria Berger, Mr Carlos Carnero, Ms Helle Thorning-Schmidt*
18. *Ms Palacio*
19. *Mr Luís Queiró*
20. *Mr Roche*
21. *Mr Frans Timmermans*
22. *Mr Voggenhuber, Ms Wagener, Mr MacCormick, Mr Lichtenberger, Ms Nagy*
23. *Mr Teufel*
24. *Ms Vassiliou*
25. *Mr de Villepin*

LIST OF AMENDMENTS TO ARTICLE 35a

1. *Mr Bonde, Mr Dalgaard, Mr Skaarup, Mr Zahradil*
2. *Mr Borrell, Mr Carnero, Mr López Garrido*
3. *Brok; Santer; Szajer; Tajani; Teufel; van der Linden; Palacio; Almeida Garrett; Alonso; Altmaier; Azevedo; Basile; Brejc; Cisneros; Cushnahan; Demetriou; Dolores; Figel; Fogler; Follini; Frendo; Kauppi; Kelemen; Korhonen; Krasts; Kroupa; Lamassoure; Lequiller; Maij-Weggen; Mladenov; Piks; Rack; van Dijk; Wittbrodt; Würmeling; Zacharakis; Zile*
4. *Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Dimitrij Rupel, Mr Peeter Kreitzberg, Mr Algirdas Gricius, Mr Puiu Hasotti, Mr Jelko Kacin, Mr Zekeriya Akçam, Mr Eugenijus Maldeikis; Mr Willem Van Eekelen, Mr Valdo Spini, Lord MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Ms Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Ibrahim Ozal and Mr Gintautas Sivickas.*
5. *The Earl of Stockton*
6. *Mr Caspar Einem*
7. *Mr Gianfranco Fini*
8. *Mr Jacques Floch*
9. *Marco Follini*
10. *Mr David Heathcoat-Amory, Mr Bonde*
11. *Ms Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives, and Mr Sören Lekberg, Mr Kenneth Kvist and Mr Ingvar Svensson*
12. *Prof. Danuta Hübner*
13. *Dr Sylvia-Yvonne Kaufmann*
14. *Timothy Kirkhope*
15. *Mr Ivan Korčok*
16. *Mr Göran Lennmarker*
17. *Mr Ernâni Lopes and Mr Manuel Lobo Antunes*
18. *Professor Jürgen Meyer*
19. *Mr Juraj Migaš*
20. *Mr Luís Queiró*
21. *Mr Roche*
22. *Mr Dimitrij Rupel*
23. *Mr Adrian Severin*

24. *Ms Anne van Lancker, Mr Olivier Duhamel, Mr Caspar Einem, Mr Ben Fayot, Ms Linda McAvan, Mr Luis Marinho, Ms Pervenche Berès, Ms Maria Berger, Mr Carlos Carnero, Ms Elena Paciotti, Ms Helle Thorning-Schmidt*
25. *Mr Voggenhuber, Ms Wagener, Mr MacCormick, Mr Lichtenberger, Ms Nagy*
26. *Mr Santer, Mr Helminger, Mr Fayot, Mr Schmit*
27. *Dr Sylvia-Yvonne Kaufmann*
28. *Ms Anne van Lancker, Mr Olivier Duhamel, Mr Caspar Einem, Mr Ben Fayot, Ms Linda McAvan, Mr Luis Marinho, Ms Pervenche Berès, Ms Maria Berger, Mr Carlos Carnero, Ms Helle Thorning-Schmidt*
29. *Mr de Villepin*
30. *Mr de Villepin*

LIST OF AMENDMENTS TO ARTICLE 36

1. *Maria Eduarda Azevedo, António Nazaré Pereira*
2. *Mr Bonde, Mr Dalgaard, Mr Heathcoat-Amory, Mr Skaarup, Mr Zahradil*
3. *Mr Borrell, Mr Carnero, Mr López Garrido*
4. *Brok; Santer; Stylianidis; Szajer; Tajani; Palacio; Van Der Linden; Almeida Garrett; Alonso; Altmaier; Azevedo; Basile; Brejc; Cisneros; Cushnahan; Demetriou; Dolores; Figel; Fogler; Follini; Frendo; Giannakou; Kauppi; Kelemen; Korhonen; Krasts; Kroupa; Lamassoure; Lennmarker; Lequiller; Maij-Weggen; Mladenov; Paks; Rack; van Dijk; Wittbrodt; Zieleniec ; Zile*
5. *Mr J.Chabert, Mr M. Dammeyer, Mr P.Dewael, Ms C. du Granrut, Mr C.Martini, Mr R.. Valcarcel Siso*
6. *Mr Oğuz Demiralp*
7. *G.M. de Vries, T.J.A.M. de Bruijn*
8. *Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Peeter Kreitzberg, Mr Algirdas Gričius, Mr Puiu Hasotti, Mr Jelko Kacin, Mr Zekeriya Akçam and Mr Eugenijus Maldeikis; Ms Lone Dybkjaer, Mr Valdo Spini, Mr Willem Van Eekelen, Lord MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Ms Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Ibrahim Ozal and Ms Gintautas Sivickas.*
9. *Mr Caspar EINEM*
10. *Mr Hannes FARNLEITNER, Mr Gerhard TUSEK, Mr Reinhard Eugen BÖSCH, Mr Eduard MAINONI*
11. *Mr Joschka Fischer*
12. *Mr Marco FOLLINI*
13. *Mr Hain*
14. *Mr David Heathcoat-Amory, Mr Bonde*
15. *Dr Sylvia-Yvonne Kaufmann*
16. *Timothy Kirkhope and The Earl of Stockton*
17. *Mr Ivan Korčok, Mr Ján Figel', Mr Juraj Migaš*
18. *Mr Göran Lennmarker*
19. *Mr Pierre Lequiller*
20. *Mr Ernâni Lopes, Mr Manuel Lobo Antunes*
21. *Ms Cristiana Muscardini*
22. *Mr Roche*
23. *Mr Dimitrij Rupel, Mr Janez Lenarčič*
24. *Mr Santer, Mr Helminger, Mr Fayot as well as Ms Wagener and Mr Schmit*

25. *Mr Adrian Severin*
26. *Teija Tiilikainen, Antti Peltomäki, Kimmo Kiljunen, Matti Vanhanen, Riitta Korhonen*
27. *Ms Anne van Lancker, Mr Olivier Duhamel, Mr Ben Fayot, Ms Linda McAvan, Mr Luis Marinho, Ms Pervenche Berès, Ms Maria Berger, Mr Carlos Carnero, Ms Elena Paciotti, Ms Helle Thorning-Schmidt*
28. *Mr Voggenhuber, Mr McCormick, Mr Lichtenberger*
29. *Ms Lena Hjelm-Wallén and Mr Sven-Olof Petersson, Mr Sören Lekberg, Mr Kenneth Kvist and Mr Ingvar Svensson*
30. *Mr Attalides*
31. *Mr Luís Queiró*
32. *Mr Luís Queiró*
33. *Ms Lena Hjelm-Wallén and Ms Teija Tiilikainen; Ms Helle Thorning-Schmidt, Ms Lone Dybkjær and Ms Piia-Noora Kauppi; Mr Sören Lekberg, Mr Kenneth Kvist and Mr Ingvar Svensson*
34. *Mr Attalides*
35. *Mr Luís Queiró*
36. *Mr Frans Timmermans*
37. *Mr Jens-Peter Bonde and Mr Andrew Duff*
38. *Ms Lena Hjelm-Wallén and Mr Sven-Olof Petersson; Mr Sören Lekberg, Mr Göran Lennmarker, Mr Kenneth Kvist and Mr Ingvar Svensson*
39. *Mr Teufel*
40. *Mr de Villepin*

LIST OF AMENDMENTS TO ARTICLE 36a

1. *Maria Eduarda Azevedo, António Nazaré Pereira*
2. *G.M. de Vries, T.J.A.M. de Bruijn*
3. *Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Dimitrij Rupel, Mr Karel De Gucht, Mr Peeter Kreitzberg, Mr Algirdas Gričius, Mr Puiu Hasotti, Mr Jelko Kacin, Mr Zekeriya Akçam and Mr Eugenijus Maldeikis; Ms Lone Dybkjaer, Mr Valdo Spini, Mr Willem Van Eekelen, Lord MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Ms Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Patrick Dewael, Mr Ibrahim Ozal and Mr Gintautas Sivickas.*
4. *Mr David Heathcoat-Amory and The Earl of Stockton*
5. *Mr Caspar Einem*
6. *Mr Hannes Farnleitner, Mr Gerhard Tusek, Mr Reinhard Eugen Bösch, Mr Eduard Mainoni*
7. *Mr Ján Figel', Mr Juraj Migaš*
8. *Mr Joschka Fischer*
9. *Mr Jacques Floch*
10. *Mr Haenel, Mr Badinter*
11. *Mr Hain*
12. *Mr David Heathcoat-Amory, Mr Bonde*
13. *Ms Lena Hjelm-Wallén, Ms Teija Tiilikainen, Mr Dick Roche and Mr Sven-Olof Petersson; and Mr Sören Lekberg, Mr Göran Lennmarker, Mr Kenneth Kvist and Mr Ingvar Svensson*
14. *Dr Sylvia-Yvonne Kaufmann*
15. *Timothy Kirkhope MEP*
16. *Mr Ivan Korčok*
17. *Professor Jürgen Meyer*
18. *Ms Cristiana Muscardini*
19. *Mr Luís Queiró*
20. *Mr Voggenhuber, Mr McCormick, Mr Lichtenberger*
21. *Mr Bonde, Mr Dalgaard, Mr Heathcoat-Amory, Mr Skaarup, Mr Zahradil*
22. *Mr de Villepin*

LIST OF AMENDMENTS TO ARTICLE 37

1. *Mr Vytenis Povilas Andriukaitis*
2. *Maria Eduarda Azevedo, António Nazaré Pereira*
3. *Mr Badinter*
4. *Maria Berger, Linda McAvan, Helle Thorning-Schmidt, Anne Van Lancker*
5. *Mr Bonde, Mr Dalgaard, Mr Heathcoat-Amory, Mr Skaarup, Mr Zahradil*
6. *Mr Borrell, Mr Carnero, Mr López Garrido*
7. *Mr Oğuz Demiralp*
8. *G.M. de Vries, T.J.A.M. de Bruijn*
9. *Mr Andrew Duff, Mr Paul Helminger, Mr Dimitrij Rupel, Mr Karel De Gucht, Mr Peeter Kreitzberg, Mr Algirdas Gricius, Mr Puiu Hasotti, Mr Jelko Kacin, Mr Zekeriya Akçam and Mr Eugenijus Maldeikis; Ms Lone Dybkjaer, Ms Elena Paciotti, Mr Willem Van Eekelen, Lord MacLennan of Rogart, Mr Nesrin Uzun, Mr Marios Matsakis, Ms Androula Vassiliou, Mr Istvan Szent-Ivanyi, Mr Péter Eckstein-Kovacs, Mr Patrick Dewael, Mr Ibrahim Ozal and Mr Gintautas Sivickas.*
10. *Mr Ján Figel', Mr Juraj Migaš*
11. *Mr Gianfranco Fini*
12. *Mr Jacques Floch*
13. *Mr David Heathcoat-Amory, Mr Bonde*
14. *Mr Esko Helle*
15. *Ms Lena Hjelm-Wallén and Mr Sven-Olof Petersson; Mr Sören Lekberg and Mr Kenneth Kvist*
16. *Mr Henrik Hololei*
17. *Dr Sylvia-Yvonne Kaufmann*
18. *Timothy Kirkhope*
19. *Mr J. Kohout*
20. *Mr Pierre Lequiller*
21. *Ms Cristiana Muscardini*
22. *Mr Santer, Mr Helminger, Mr Fayot, Mr Schmit*
23. *Mr Valdo Spini*
24. *Mr Jozsef Szajer*
25. *Teija Tiilikainen, Antti Peltomäki, Kimmo Kiljunen, Matti Vanhanen, Riitta Korhonen*
26. *Ms Anne van Lancker, Mr Olivier Duhamel, Ms Linda McAvan, Mr Luis Marinho, Ms Pervenche Berès, Mr Carlos Carnero, Ms Helle Thorning-Schmidt*

27. *Mr Voggenhuber, Ms Wagener, Mr Lichtenberger, Ms Nagy*
 28. *Mr Luís Queiró*
 29. *Mr Luís Queiró*
 30. *Mr Luís Queiró*
 31. *Mr Jacques Floch*
 32. *Mr Teufel*
 33. *Mr de Villepin*
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